

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**AMENDED SHORT FORM COMPLAINT
FOR DAMAGES FOR INDIVIDUAL
CLAIMS**

Plaintiff(s) named below, for their Complaint against Defendants named below,
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 303-3).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Gregory Cannon

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
consortium claim:

Jane Cannon

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
conservator):

N/A

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
the time of implant:

Ohio

1 5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
2 the time of injury:

3 Ohio

4 6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:
5 Ohio

6 7. District Court and Division in which venue would be proper absent direct filing:

7 United States District Court: Southern District of Ohio

8 8. Defendants (check Defendants against whom Complaint is made):

9 *C.R. Bard Inc.

10 *Bard Peripheral Vascular, Inc.

11 9. Basis of Jurisdiction:

12 *Diversity of Citizenship

13 ☐ Other: _____

14 a. Other allegations of jurisdiction and venue not expressed in Master
15 Complaint:

16 N/A

17 _____
18 _____
19 10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is mak
20 claim (Check applicable Inferior Vena Cava Filter(s)):

21 *Recovery[®] Vena Cava Filter

22 *G2[®] Vena Cava Filter

ing a

* G2[®] Express (G2[®] X) Vena Cava Filter

* Eclipse[®] Vena Cava Filter

* Meridian[®] Vena Cava Filter

* Denali[®] Vena Cava Filter

☐ Other: _____

11. Date of Implantation as to each product:

On or about July 3, 2015

12. Counts in the Master Complaint brought by Plaintiff(s):

* Count I: Strict Products Liability – Manufacturing Defect

* Count II: Strict Products Liability – Information Defect (Failure to Warn)

* Count III: Strict Products Liability – Design Defect

* Count IV: Negligence - Design

* Count V: Negligence - Manufacture

* Count VI: Negligence – Failure to Recall/Retrofit

* Count VII: Negligence – Failure to Warn

* Count VIII: Negligent Misrepresentation

* Count IX: Negligence *Per Se*

* Count X: Breach of Express Warranty

* Count XI: Breach of Implied Warranty

* Count XII: Fraudulent Misrepresentation

* **Count XIII: Fraudulent Concealment**

☐ Count XIV: Violations of Applicable _____ (insert state)

Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade
Practices

☐ Count XV: Loss of Consortium

☐ Count XVI: Wrongful Death

☐ Count XVII: Survival

☐ Punitive Damages

☐ Other(s): _____ (please state the facts supporting
this Count in the space immediately below)

1 RESPECTFULLY SUBMITTED this 1st day of June 2017.

2 **Roxell Richards Law Firm**

3 By: /s/
4 Roxell Richards
5 TX Bar No. 24049753
6 Oluwaseun "Seun" Adeyemi
7 TX Bar No. 24094495
8 Roxell Richards Law Firm
9 6420 Richmond Ave Ste. 135
10 Houston TX, 77057

11 *Attorneys for Plaintiff*

12 I hereby certify that on this 1st day of June, 2017, I electronically transmitted
13 the attached document to the Clerk's Office using the CM/ECF System for filing and
14 transmittal of a Notice of Electronic Filing.

15 /s/ Roxell Richards

16
17 Roxell Richards
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